# Republican. Greene Caunty

FIRMNESS IN THE RIGHT AS GOD GIVES US TO SEE THE RIGHT .- Lincoln.

## Kamily Laper-Devoted to Politics, Piterature, Foreign, Home and Miscellaneous Aews, &c., &c.

VOL. XI

WAYNESBURG, PA., WEDNESDAY, JUNE 26, 1867.

NO. 3.

## The Republican.

EVERY WEDNESDAY MORNING,

JAS. E. SAYERS.

OFFICE IN SAYERS' BUILDING, EAST OF THE

## FIRST NATIONAL BANK,

### Waynesburg,

D. Boner, Pres't. J. C. Flenniken, Cashier. DISCOUNT DAY-TUESDAYS. May 16, '66.-1y.

LEWIS DAY. DEALER IN Books Stationery, Wall Paper, Window Paper, &c. Sunday School Books of all kinds constantly on hand, room in Mrs. Rush's building, f-merly occupied by Cotterell & Taylor, Waynesburg, Pa. May 9, '66,-1y

Robert Sougherty, Carriage Manufacturer

WAYNESBURG, PA., RESPECTFULLY gives notice that he has located in Waynesborg, Pa., where he in-

CARRIAGES Of every description. From his experience in the business, he feels confident that his work, in style, finish and durability, will give entire satisfaction. It is his determination to purchase the best material in market, and employ none

but competent workmen.

GrAll new work warrented for one year.

Waynesburg, Feb. 21, 1860—t 1

#### wm. Bailey. WATCHES AND JEWELRY.

MAIN STREET, OPPOSITE COU'T HOUSE. KEEPS ON HANDS ALWAYS A choice and select assortment of watches and jewelry, Repairing done at the lowest rates, ap1, 1y

#### "SHERMAN HOUSE," JUST OPENED BY

Thos. Bradley POSITIVELY the most complete Hotel in our town. Everything combined to furnish the best accommodation ever yet offered to the public,

Meals furnished at all hours, table provid

ed with the best of the season.

Travellers and those desirous of refreshmen will do well to call, "Tom" still retains his old reputation of an accommodating gentleman, and hospitable landlord. House, the one for-merly occupied by the "Messenger" Office. May 9, '66.-1y.

### W.T. Webb. Jr. SADDLE AND HARNESS MAKER.

(In Wilson's Building, Main St.) Saddles, Bridles, Harness kept on hand and made to order. Work done in the best style,

and at reasonable rates.

Repairing a speciality on short notice.

Farmer friends go look at his stock.

## MARBLE WORKS SUMMERSGILL&BRO.

(Jewells old stand, upper end of town )

THE public are respectfully informed that Summersgill & Bro. have just received a large stock of all kinds of

MARBLE WORK! Such as Grave Stones, Monuments, Mantle Work, &c. We are prepared to furnish work and examine our stock, styles, and prices be-

## T. LUCAS& CO.,

Forwarding and Commission Merchants,

AND dealers in Groceries, Hardware, Leather, Shoe Findings, Iron, Nails, Salt, Fish, &c. Also, agents for Aubrey, Cromlow & Coon's Window Sash. Asup ly kept constantly on hands. Rice's Landing, Pa., above

## LAZEAR BROTHERS,

WHOLESALE GROCERS AND COMMISSION MERCHANTS.

### No. 77, Exchange Place, Baltimore.

JAS. B. LAZEAR, WM. L. LAZEAR.

EXECUTOR'S NOTICE. LAIford Gregg, of Cumberland township, Greene county, Pa., dec'd , having been granted to the undersigned, notice is hereby given to all persons indebted to said estate to make immediate payment, and those having claims against the same to present them im-mediately, properly authenticated for settle-AARON GREGG, Cumberland tp., Executor. 5: 15-6w.

### E. M. Savers. ATTORNEY AND COUNSELOR AT LAW. In addition to other business will attend to fall cases in Bankruptey that may be entrusted to his care. Office, opposite Drug Store of G. W. Roberts & Co.

SLATER ODENBAUGH, DEALER IN DRUGS, MEDICINES, LIolass Drug Store. Prescriptions carefully compounded. "Creigh's Old Stand," Waynes urg, Pa. May 30, '66.-1y.

## GEORGE S. JEFFERY, Dealer in Books and Stationery, Magazines Daily Papers Fancy Articles, &c., Way-

T. W. ROSS. PHYSICIAN AND SURGEON,

OFFICE in Jewell's building, West end of Main street, Waynesburg, a.1,-tf

GETTYSBURG ASYLUM

Incorporated by Act of Assembly of the Commonwealth Pennsylvania, March 6, 1867.

The Board of Supervisors appointed by the above Cor-poration to carry out the objects of the act of incorpor-tion, respectfully announce to the public that the Legisle are of Pennsylvania has authorized the raising of fund

laws of the Commonwealth to the contrary notwithstanding.

The enterprise is cordially recomended by the following named and well known gentlemen:

Major General GEO. G. MEADE, Ex.Governor A. G. CURTIN, Major General GALUSHA PENNYPACKER, Major General E. M. GREGORY, Mujor General JO'IN R. BROOKE, Major General CHARLES H. T. COLLIS, Major General CHARLES H. T. COLLIS, Major General JAS L. SELPRIDGE, Brigadier General JAS L. SELPRIDGE, Brigadier General JOSEPH F. KNIPE, Brigadier General JOSEPH F. KNIPE, Brigadier General WM. I BOLTON.

Brigadier General WM. J BOLTON.
Brigadier General SAM'L M. ZULICK,
Brigadier General JOHN K MURPHY,
Brigadier General JOHN F. BALLIER, Brigadier General T. F. McCOY.
Brigadier General R. E. WINSLOW,
Brigadier General HENRY PLEASANTS,
Brigadier General J. P. S. GOBIN.
Brigadier General J. M. CAMPBELL,
Brigadier General THOS. M. WALKER,
Brigadier General WM. COOPER FARIER Brigadier General WM. COOPER FARLEY Brigadier General D. M. GREGG,

Colonel F. S. STUMBAUGH,
The site for the institution (thirty acres) has alread
heen purchased, and it is hoped that the good work ma
commones before midsummer. been purchased, and it is hoped that the good work may commonee before midstanaer.

Subscriptions will be received at the office of the Association, No. 1120 Chestnut street, Philadelphia, on and after Monday, the 6th day of Mry, 1867.

For each subscription of five dollars a certificate will be issued, which will entitle the holder to such article of value as may be awardes to its number.

The first distribution of awards will be made immediately upon the receipt of 80,000 subscriptions at \$5 each.

The distribution will be public, and under the direct supervision of the Corporators.

Persons at a distance are requested to remit their subscriptions (when practicable) by Post office money order, or registered letter, to insure prompt delivery.

Bicchesian Boxto of Supravisous, Signature of the Corporator of the Mry of the Corporator of the Corporator of the Corporator of the Corporator of the Mry of the Corporator of the Corporator of the Mry of the Corporator of the Corporator of the Corporator of the Mry of the Corporator of the Mry of the Corporator of the Corporator of the Mry of the Corporator of the Mry of the Corporator of the Mry o

GETTYSBURG ASYLUM FOR INVALID SOLDIERS, Incorporated by Act of Assembly of the Commons of Pennsylvania, March 5, 1867. Office 1126 CHESTNUT Street, Philadelphia.

FIRST DISPOSITION. Eighty Thousand Subscribers at Five Dollars Each. 1— 1 Diamond Necklace, 48
Brilliants, valued at...\$30,600 2- 1 Diamond Cluster Brooch and Ear Rings....... 15,000 3— 1 Award 10-40 Government Bonds...... 1 Diamond Cross, set in 1 Diamond cluster brooch Award 10-40 Govern-8— 1 Diamond Cluster Brace-9- 1 Diamond Single Stone Scarf Pin..... 12- 1 Pair Single Stone Dia-1 Award 10-40 Govern-

Pin..... 1 Diamond Single Stone Stud...... 1 Diamond cluster brooch 1 Diamond Single Stone Ring.....
1 Diamond and Emerald 1 Diamond Single Stone

Ring.....

1 Diamond Cluster Ring...

1 Long India Camel's Hair Shawl...... 1 Choice Emerald Stud... Single Stone Diamond Ring..... 10 Awards of 10-40 Government Bonds, each

1 Three-stone Diamond and Ruby, Ealf-hoop Studs...... 1 Diamond Single-stone Ring, star setting......

1 Diamond Single-stone Pin..... 1 Diamond Cluster Brace-11 to 50- 10 Awards of 10-40 Government Bonds, each 1 Lady's Diam'd-set watch Diamond Single Stone 

54- 1 Diamond Single Stone 1 Pair Emerald Scarf Pins 56- 1 Diamond Single Stone Stud ....
t Diamond Cluster Pin...
1 Cameo and Pearl Brooch and Ear Rings...... 50 to 158-100 Awards 10-40 Govern-

ment Bonds, each... 3,000 Awards, Government legal

OERIFICATE.

We hereby certify that we have examined the Diamor Goods, Pearls, Emeralds Rubles, and other Precio Stones, as described in the above list, and find them :

HENLE BRO'S, Diamond Importers, 20 Madren Lang, New York. J. HERMANN, Diamond Setter, 394 Broome Street, New York. AGENTS WANTED.

[From the Cumberland Presbyterian ] NATURE A TEACHER: HUMAN PRO-GRESS

There is an apparent relation between the several departments of God's government, and a beautiful analogy in the application of the laws of each. There is, however a radical difference between them, which is clearly exemplified by tormer are inexorable while those of the latter are free, yet, a knowledge of the ploying natural things to illustrate his father was a Presbyterian, therefore I miserable radicals. But for all that they doctrines. Nature is a great teacher. - am: my father believed in immersion. come. The army of human progress The earth itself is a great book on whose therefore, I do . our tathers framed the goes right on. Thus are marching the rocky leaves, by God's own hand, is constitution of the United States, it must great principles of justice and right, the recorded its own history; that is, some- in no case be changed; my tather said it radical radicals in the front and the conthing about its age and the character of is not the mind, but the color of the servative conservatives in the rear, and its inhacitants before man came here to skin that makes the man, therefore I am right manfully they maintain their relive But this book can only be read by the earnest student of science

There are, however, other lessons to easy, so palpable, that the most casual not but gain some knowledge from this The sun shines upon the earth, warms vegetation into life, and there is physical development. The Sun of righteousmoral development.

It is a geological revelation that the noble metals, gold, silver, platinum, and all physical jewels, the diamond, garnet, emerald &c., did not originally exist upon the surface of the earth, but anterior to man's creation were thrown up from its depths by an igneous or volcanic action. This is a physical phenomenon. It is a psychological fact that all moral jewels, brilliant ideas, maxims, sentences worthy of preservation and immortality, do not originally exist upon the surface of the mind, but are thrown up from its depths, from the human understanding, by the agency of 4,500 thought. This is an intellectual phen-

Capillarity gives aliment to the plant. This is the source of physical growth .--Reflection gives vitality to the idea .-This is the source of intellectual growth. mond Ear Rings ...... 3,500 The wind, the agency of excitement Diamond cluster brooch 3,000 among the aerial elements, drives along 3,000 our streets, whirls around our dwellings, dispelling miasmatic vapor, driving away the seeds of pestilence, making the air healthful and bracing. This is atmospheric enthusiasm. Sensation, the agency of excitement among the mental elements, permeates every avenue of the person; excites every passion; arouses every dormant power of the mind : calls into requisition the esthetic elements of 1,500 the soul; dispels melancholy; drives 1,000 away stupidity and imparts vigor and animation to the whole being. This is psychological enthusiasm.

The dashing rain falls rapidly upon the frozen ground, the violent shower 800 beats vohemently upon the parched coo earth, making excavations here and there, tearing down fences, washing away property, turning over houses, and directions there is no rain. There must passes away, leaving the ground harder be some excite cent to produce this phe 500 than before. This is violence in the physical world. But the quiet rain gether of air-torrents to break up this 400 falls all day and falls all night, and continues to fall till the chains of winter are broken or till the crusts of summer thun ler and lightening, and we have a 250 are melted, and then passes away leav-200 ness in the physical world. The enti-u-150 siastic reformer approaches the man of lessness, is convinced that his course is

and intellectual world. dried or frozen crust of earth. Long front to remove obstructions and cut nesses of all connection with the confess murder of Mr. Dinsmore, The bitter triumphantly paraded, neglected by the rain it refuses to grow. away underbrush ; we want them to con- sion, except the mere matter of appendar resentments that had lasted for years Next we have Mrs. Creacraft who is

cut his grass with a so the and thresh- march of these principles may be a tried his wheat with a flail, therefore, I do. umphant one and that their advocates be learned from this teacher that are not iny father was a democrat, or a whigh may unimately receive a rest as peaceso difficult; that are, indeed, so very therefore so am I. Let a rabid fanatic ful as their labors are stormy! a proach a person of this character with observer, the most reckless thinker, can his new theories and in his violent way charge him with being in error and in source, though he do it unwittingly - sist on his changing his course of doing. He at once incurs his displeasure, for our honest yeoman thinks the good name of his father is being villified .ness shines upon the human soul, ani- 'What do I want with this machine ?'mates its latent virtues, and there is He indignantly inquires, 'my father never had one."

'Me vote this ticket? I'll do no such thing. Do you think I'll vote a ticket my father never did? Away with your radicalism-turning the world up side down. I'm no turn-coat, I'll have you understand.' The effort of our fanatical reformer has proved entirely futile.

This poor soul is still in prison. So he will ever remain unless a mild, consistent man approaches him and reasons with him quietly, earnestly, and convincingly, little by little removing his hab its, gradually breaking in pieces the crust of prejudice that surrounds him. till his captive spirit is released and joyfully goes out to meet the light, like the growing seed-germ when released from its cloddy bed by the quiet rain. Poor, old, unfortunate John Brown, partially deranged and frantically mad because of the injuries he had received from the fiendish slave power, rushes fanatically on the author of his grief to destroy it, and gives his life for his rashness. A distinguished radical senator from New England records two votes with the op position because his own party did not quite come up to his standard of right, and thus prevented the admission into the Senate of advocates of his own principles. A brilliant Massachusetts lecturer severest terms because he countermanded the orders of Fremont and Hunter manumiting the slaves in their depart-

What then shall we say? That we have no need of storms? That violent agitators and fanatical reformers are a curse? By no means. But let them operate in their appropriate sphere -When the wind blows quietly in uniform nomonon. There must be a rushing tocauses violent rain accompanied with reform. This is calmness in the moral brought in contact with the prejudiced his rapidly approaching end.

impetuous drops, but shielded by the my of human progress. I know they exonerates Messrs. Watkins, Herr and long been estranged from him by the hard earth it still lingers disconsolately pronounce bitter invectives and, some- Clark from the charge, which is thereby acrimonious feelings engendered in forin the ground. At length a more quiet times, made bold declarations. In Eng. narrowed down to Dr. Brownson, Esq., mer controversies did not hesitate and enduring rain comes falling softly land the same class has been threatened Hornish, Jailor Kennedy and myself, to condole with him in his distress. and constantly upon the hardened crust. to usurp the control of the government who were the only other persons accus- Not a single harsh or unkind word It mellows it. The seed is reached. It if Parliament does not ratify the suffrage tomed to visit Fogler during the time was spoken concerning him even awakens into life and gladly goes forth reform bill. So they talk, But what of the confession is alleged to have been by those who had long been considered to meet the sun. Ignorance rests upon it? They are but performing their work. concocted for him. Having had him in his most implacable enemies. When our world like a dark pall. It meloses Their mission is a sublime one; to be custody, as I said before, and being per- his son was arrested and lodged in jail, comparing the physical department humanity with prejudice as a manufacthe leader in the establishment of the feetly familiar with the object of every instead of putting irons on him as I turer of busts incrusts his subject with great principles of right. Next follow visit that was made to him, I can assert might have done, in deterence to Mr. gypsum. Within is entombed a human the more philanthrophists teaching the most unhesitatingly that not a single one Montgomery's feetings and wishes I resoul. Here is the great problem to be ignorant and prejudiced. All the time of them had aught to do with the preplaxed the rules, and allowed the family one assists us to understand the other. - solved by the philanthropist. How can the numbers of both are increasing. - aration of his confession, and hence that to have free access to him as far as I A knowledge of Physics is a very value this crust be broken that the man may Meanwhile the conservatives are far in the charge of Mr. Montgomery that it possibly could consistent with my official able auxiliary in studying ethics. The be exhumed and made free? Persons the rear constantly pulling back, pro- was the work of other hands than Fog. duties and the safe-keeping of the pristhus environed by prejudice reason af- testing vocaterously and threateningly ler's, is utterly, absolutely, and may I oner. All this kindness he now requites great degree, revealed in the material ter this sort: My father worshipped at against leaving the principles of their not say macliciously false. In this asser. by asserting that the confession of Fogworld. Christ teaches us this by em- Jerusalem, therefore, so must I; my fathers to follow in the footsteps of the tion I will be fully sustained by Messrs. ler is nothing but a tissue of falsehoods opposed to negro suffrage; my father spective positions. God grant that the

W. T. P. From the Washington Reporter. MONTGOMERY VS. FOGLER.

Messes. Epirons :- When Mr. Mont-

gomery concluded to assail the recently published confession of Robert Fogler. if he had chosen to treat it as Fogler's own production, written by himself, without dictation or influence from any quarter, and then sought to convince the public that it was unworthy of belief, futile as I might bave considered the task, I should certainly never have felt called on to reply. This, however, he has not done, but on the other hand, at the very outset, makes the broad and sweeping allegation that the confession, instead of being the work of the 'wretchenabled to accuse such person with having 'kicked' without being 'spurred.'-But as I have stated heretofore, the nature and circumstances of the case are such that I cannot afford to let this reckits utter falsity and branding it as it deserves. A simple statement of facts will show that this much is imperatively demanded at my hands. It is fresh in the recollection of all that

Fogler was tried and convicted at Febdenounced the great emancipator in the ruary term last, and that sentence of death was pronounced on him on the 28th day of February. Notwithstanding his conviction and sentence, he still continued for a time to cherish the hope that he would in some way be enabled to escape the dread penalty of the law,-That hope was seriously shaken on his learning that the Supreme Court had refused a writ of error in his case, and I am satisfied was finally extinguished by the reading of the death warrant to him. which took place on Saturday, the 6th of April. Now if this contession was concected for him, as Mr. Montgomery monotony in the atmosphere. This alleges, it must have been done by some person or persons allowed to hold communication with him between this last st rm which purifies the air and leaves mentioned date and the day the confes-200 ing all nature rejoicing. This is calm. it in proper condition to send us those sion was signed, which was on the 15th quiet showers which our farmers so glad, of April. The only persons visiting him ly welcome. It is but a little since we during that time, in addition to myself 100 dissipation and impetuously upbraids witnessed a civil storm. And oh, what and Mr. Kennedy, the jatior, were Rev. 100 him-calls him a fool for pursuing a a storm it was! It was terrible. It Dr Brownson, It v W B Watkins, course that must inevitrbly end in pain made great excavations in the plain of Rev. Joseph D. Herr, Wm. Hornish, ful unhappiness. But he only excites humanity and burried beneath its detri- Esq., and Dr. H. M. Clark, the physician 50 the parsion of the unfortunate man and tus thrown up by its blood-torrents ma- to the jail, with perhaps a casual call fain have the public believe that the obinstead of reforming him confirms him my of our bravest and best citizens. But from two or three others, but of that I ject is to hunt him down. In utter disin his ruinous course. This is violence it dispelled from the political atmosphere am not certain. I can truly affirm, how- regard of plain facts he asserts that the in the moral and intellectual world -- that fearful malaria that so fatally dis-The dispassionate minister remonstrates eased the nation, and prepared our peo- him by any one during that time without and sanctioned by Fogler, the whole being thrown against it, as the indentawith the inebrate quietly, reasonably, ple for moral conquests which is but the my being fully acquainted with the ob- design being to rain him and disgrace tion of the sash was still to be seen, yet earnestly. He excite his reflection, quiet, and yet earnest advancement of ject. Dr. Clark's calls were exclusively his family. Now so far from this being whereupon Miller informed him that it The dissipated man sees the lamentable truth. Our fanatics, our radical radicals in the line of his professional duty, and true, I am satisfied the public will bear was broken by some person unknown to position he occupies, laments his reck- are much needed in carrying on this the others were made solely with a view great conquest. Not that we expect of promoting the prisoner's spiritual general feeling of sympathy was never toolish and dangerous and resolves to them to accomplish anything by being welfare, and thus preparing him to meet exhibited for any man than was shown a different story in regard to the break-

The tempestuous shower sends down its stitute the pioneer corps of the great ar- ing their names to it. This of course were forgotten, and the men who had relied upon to show the falsity of Fogs.

of the deprayed and abandoned charac- ly. the authority of the other worthy gentlemen who visited him, for saying that they are equally clear of all connection with its preparation, Having thus repelled this wanton

charge, which though not directed at me by name, was nevertheless from the very nature of the case, such as I could not suffer to pass unheeded, justice alike to the living and the dead demands that I should expose the silly attempt of Mr ed man who purports to be its author,' Montgomery to east discridit upon the was gotten up for him by others. This contession of a man, convicted felon bold accusation, it will be observed, is though he was, who had no motive in the made in general terms. Mr. Montgom- world but to state what was true, and ery no doubt purposely omitted to name with whose dying words was mingled a any one as having been concerned in re-affirmation of its entire truthfulness concocting the statement, first, with a in every particular. I can make all alview of affording no one a pretext for lowance for the anxiety of a father to answering him, and secondly, that in shield his son in the hour of peril, but case any one did answer, he might be even parental affection itself will not be justified in an outrage upon truth, justice and common sense to accomplish its purpose in this behalf. Robert Foeler committed a great crime which he expiated upon the scaffold; but prior to his deless charge pass without demonstrating parture from earth, he wrote out and has placed upon record a detailed narrative of all the facts and circumstances attending its perpetration which I venture to say no candid and unprejudiced mind can hestate to accept as truthful in every respect. The tone and temper in which the confession was written, the inherent evidence of truthfulness apparent upon its face, as well as numer ous corroborating facts and circumstance es, all serve to commend it as worthy of entire credence; and notwithstanding Mr. Montgomery's skill and experience in making the worse appear the better cause, it will acquire more learning and ability than either he or any other living man possesses, to shake the wide spread and deep seated conviction that every word of this plain and simple statement is true. The R view & Examiner may come to his aid, and assert if it chooses, that the confession has been made too "comprehensive to obtain general credence," and "bears greater evidence of malignity than sincerity;" it may assert, too, that the evidence adduced by Mr. Montgomery to overturn it is "overwhelming, but it will all be in vain ; the straight forward narrative of Robert Fogler will stand against it all, Mr. Montgomery resorts to his old and

favorite cry of persecution, and would me out in the assertion that a more tor him when the fact was made known ing. In view of these contradictory class, but we want them to make the in- As I stated last week, Mr. Montgom- that a member of his family was charge statements there is manifestly no reliance The seed of a plant lies inclosed in a class, but we want them in the ery himself acquits the subscribing wit- ed with having been concerned in the himself and wife, which has been so

Brownson, Hornish and Kennedy, whose to which a dying man's assent has been reputation for veracity it would be a fraudulently procured with the sole dedownright insult to compare with that sign of destroying himself and his fami-

ters by whose testimony Mr. Montgom- Of one thing Mr. Montgomery may ery seeks to bolster up his reckless and rest assured, and that is that a great foolbardy attack. The first suspicion I majority of those who are conversant had that Fogler was engaged in prepara with the history of the case from begining his statement, was his repeated re- ning to end, concur in the opimon that quests for paper to be furnished him - he would-have shown himself a wiser These requests were made so frequently, man had he never attempted the task of and the quantity of paper consumed was assailing Fogler's confession, damaging such as led me to ask on one occasion as its statements may have been to his what it was for, when I was informed sons. It the reputation of his family is by Mr. Kennedy, that Fogler said he dependent upon the success of his effort was engaged in writing his confession. in that line, they are in a sad situation That I had aught to do with getting it undeed. He may labor till doomsday, up, or dictated any portion of it whatev. and pile affidavits mountain high, but er I most emphatically deny, and I have still the conviction that the statement which Robert Fogler, illiterate as he may have been, reaffirmed with his dying breath, is true, will remain unsha-

> But how does he seek to show that the confession is unworthy of belief!-The arguments he attempts to deduce from Fogler's use of legal terms is hardly worth noticing. When it was suggested by James Montgomery that the contemplated robbery could be best accomplished by setting fire to the outbuildings of Mr. Dinsmore, Fogler objected to that plan on the ground that against them-one for burglary and one for arson-and this is adduced as evidence that the confession was written by somebody else, as it evinces too intimate an acquaintance with legal terms to be the work of so unlearned a man. Wonderful! As it ninety-nine men out of every hundred did't know that breaking into a house at night was burglary, and setting fire to buildings was arson! But again, he told 'Babe' he supposed the law would make their offence 'burglary with intent to murder.' I am no lawyer, but legal gentlemen inform me that this is a term that would hardly be made use of by one who had any knowledge of the profession, and hence proves just the opposite of what Mr. Montgomery intends. As regards the 'prolongation' of Main street, Fogler heard that very expression used during his trial, and hence it is not strange that he employed it in describing the Hickory road running from the upper end of town.

> The discrepencies between the confession and the statement made by Fogler before the Coroner's jury, and on which Mr. Montgomery lays so much stress. are all satisfactorily explained by Forler himself, who says that at the request of James Montgomery he had promised not to implicate him if arrested. This effectually disposes of the fine spun argument made on that point, and hence I need not waste time in replying to it-

The next assault is upon that part of of the confession which speaks of the breaking of the window at Miller's, and here the affidavit of Henry Miller and wife, (the latter of whom is a sister of Mrs. Montgomery) is produced to show that no glass was broken in the window. The affidavit itself states that no such occurrence ever took place. Now I have it from the best authority that Mr. M Kee, the owner of the house occupied by Miller, called the attention of the latter to one of the windows which had him on the subject on two other separate occasions, and each time Miller told him whatever to be placed in the affidavit of